

Remarks

The Office Action dated January 6, 2005 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1, 3-5 and 8-21 are pending in this application. Claims 1-5 and 8-21 stand rejected.

The rejection of Claims 1, 8-10, 14, 15, and 17 under 35 U.S.C. § 102(b) as being anticipated by Hughes et al. (Des. 385,070) is respectfully traversed.

Hughes et al. provides an ornamental design of a dishwasher door. The Hughes et al. door includes an escutcheon (designated "a" in the Examiner's drawing) attached to an upper portion of the door assembly above an outer door panel (designated "b" in the Examiners drawing). The escutcheon and outer door panel are attached to an inner door panel (see Fig. 3). The outer door panel of the Hughes et al. dishwasher door is not outwardly curved between the lateral sides and extending from the top edge to the bottom edge of the outer door panel. The top edge of the escutcheon is chamfered but it is not outwardly curved (see Figures 1 and 4).

Independent Claim 1 of the current application recites an outer door panel for an appliance door assembly that includes "a frame comprising opposite lateral sides, a top edge, and a bottom edge; an outer surface extending from said frame, said outer surface outwardly curved between said lateral sides, said outwardly curved outer surface extending from said top to said bottom edges; and a recessed control mounting surface extending inwardly from said outer surface between said lateral sides, said recessed control mounting surface disposed at an angle with respect to said longitudinal axis, said recessed control mounting surface positioned a

distance from said top edge such that said outer surface extends between said control mounting surface and said top edge of said frame".

Hughes et al. does not describe nor suggest an outer door panel for an appliance door assembly as recited in Claim 1. Particularly, Hughes et al. do not describe nor suggest an outer surface outwardly curved between the lateral sides, where outwardly curved outer surface extends from the top to the bottom edge of the frame. Rather, Hughes et al. illustrate a door that includes an escutcheon with the top edge of the escutcheon chamfered but not outwardly curved. See Figures 1 and 4 of Hughes et al. Accordingly, Applicants submit that Claim 1 is patentable over Hughes et al.

Claims 3-5 depend from independent Claim 1. When the recitations of dependent Claims 3-5 are considered in combination with the recitations of Claim 1, Applicants respectfully submit that Claims 3-5 likewise are patentable over Hughes et al.

Independent Claim 8 recites a unitary outer door panel for a dishwasher that includes "a frame portion comprising opposing lateral sides, a top edge, a bottom edge, and a longitudinal axis; an outer surface portion extending between said opposing lateral sides and said top and bottom edges of said frame portion, said frame portion and said outer surface portion formed as a single piece; and a control panel mounting surface within said frame portion and surrounded by said outer surface portion, said control panel mounting surface inclined with respect to said longitudinal axis, such that said control panel mounting surface is mostly shielded by said outer surface portion".

Hughes et al. do not describe nor suggest a unitary outer door panel for a dishwasher as recited in Claim 8. Particularly, Hughes et al. do not describe nor suggest a unitary outer door

panel that includes a frame portion and an outer surface portion where the frame portion and the outer surface portion are formed as a single piece. Also, Hughes et al. do not describe nor suggest a unitary outer door panel that includes a control panel mounting surface within the frame portion and surrounded by the outer surface portion. Rather, the Hughes et al. door has multiple pieces and includes an escutcheon (designated "a" in the Examiner's drawing) attached to an upper portion of the door assembly above an outer door panel (designated "b" in the Examiners drawing). Further, the Hughes et al. door control mounting surface is part of the escutcheon and is not within a frame portion and surrounded by a outer surface portion. Hughes et al. teach a multi-component dishwasher door assembly like the known door assemblies described in paragraph [0002] of the Background Of The Invention of the present application. Accordingly, Applicants submit that Claim 8 is patentable over Hughes et al.

Claims 9-10 depend from independent Claim 8. When the recitations of dependent Claims 9-10 are considered in combination with the recitations of Claim 8, Applicants respectfully submit that Claims 9-10 likewise are patentable over Hughes et al.

Independent Claim 14 recites a dishwasher door assembly that includes "an outer door panel having a longitudinal axis and comprising opposite lateral sides and a top edge, an outer surface extending between said lateral sides and said top edge, said outer surface surrounding a recessed control surface disposed beneath said top edge of said outer panel, such that said recessed control surface is mostly shielded by said top edge, said recessed control surface disposed at an angle with respect to said longitudinal axis, said outer surface formed as a single piece; and an inner door panel attached to said outer door panel".

Hughes et al. do not describe nor suggest a dishwasher door assembly as recited in Claim 14. Particularly, Hughes et al. do not describe nor suggest a dishwasher door assembly that includes an outer surface extending between lateral sides and the top edge of the door panel with the outer surface surrounding a recessed control surface disposed beneath the top edge of the outer panel, such that the recessed control surface is mostly shielded by the top edge. Also, Hughes et al. do not describe nor suggest that the outer surface is formed as a single piece. Rather, the Hughes et al. door has multiple pieces and includes an escutcheon (designated "a" in the Examiner's drawing) attached to an upper portion of the door assembly above an outer door panel (designated "b" in the Examiners drawing). Further, the Hughes et al. door control mounting surface is part of the escutcheon and is not surrounded by the outer surface. Accordingly, Applicants submit that Claim 14 is patentable over Hughes et al.

Claim 15 depends from independent Claim 14. When the recitations of dependent Claim 15 are considered in combination with the recitations of Claim 14, Applicants respectfully submit that Claim 15 likewise is patentable over Hughes et al.

Independent Claim 17 recites a dishwasher door assembly that includes "an outer door panel comprising a longitudinal axis, a bowed outer surface and a recessed control surface shielded by said outer surface, said recessed control surface disposed at an angle with respect to said longitudinal axis, said outer surface completely surrounding said recessed control surface, said bowed outer surface outwardly curved between a first lateral side and a second lateral side of said door panel, said outwardly curved bowed outer surface extending from a top edge of said door panel to a bottom edge of said door panel; and a unitary inner door panel attached to said outer door panel".

Hughes et al. do not describe nor suggest a dishwasher door assembly as recited in Claim 17. Particularly, Hughes et al. do not describe nor suggest a dishwasher door assembly that includes an outer door panel comprising a bowed outer surface and a recessed control surface shielded by the outer surface and with the outer surface completely surrounding the recessed control surface. Also, Hughes et al. do not describe nor suggest that the bowed outer surface is outwardly curved between a first lateral side and a second lateral side of the door panel, with the outwardly curved bowed outer surface extending from a top edge of the door panel to a bottom edge of the door panel. Rather, Hughes et al. illustrate a door that includes an escutcheon with the top edge of the escutcheon chamfered but not outwardly curved. See Figures 1 and 4 of Hughes et al. Accordingly, Applicants submit that Claim 17 is patentable over Hughes et al.

For the reasons set forth above, Applicants respectfully request that the Section 102(b) rejection of Claims 1, 8-10, 14, 15, and 17 be withdrawn.

The rejection of Claims 3-5, 7, 11-13, 16 and 18-21 under 35 U.S.C. § 103(a) as being unpatentable over Hughes et al. in view of Cracraft et al.(US 5,698,826) is respectfully traversed.

As explained above, Hughes et al. do not describe nor suggest an outer door panel for an appliance door assembly as recited in Claim 1, a unitary outer door panel for a dishwasher as recited in Claim 8, a dishwasher door assembly as recited in Claim 14, or a dishwasher door assembly as recited in Claim 17. Accordingly, independent Claims 1, 8, 14, and 17 are patentable over Hughes et al.

Cracraft et al. is cited for teaching an appliance control panel that includes a plurality of switch pads, and a mounting plate attached to a housing. Cracraft et al. is not cited for, and does

not teach, an outer door panel having an outer surface outwardly curved between the lateral sides, where outwardly curved outer surface extends from the top to the bottom edge of the frame; a unitary outer door panel that includes a frame portion and an outer surface portion where the frame portion and the outer surface portion are formed as a single piece; a dishwasher door assembly that includes an outer surface extending between lateral sides and the top edge of the door panel with the outer surface surrounding a recessed control surface disposed beneath the top edge of the outer panel, such that the recessed control surface is mostly shielded by the top edge and with the outer surface is formed as a single piece; or a dishwasher door assembly that includes an outer door panel comprising a bowed outer surface and a recessed control surface shielded by the outer surface and with the outer surface completely surrounding the recessed control surface and with the bowed outer surface outwardly curved between a first lateral side and a second lateral side of the door panel.

At least for the reasons explained above, Hughes et al. and Cracraft et al., alone or in combination, do not describe nor suggest an outer door panel for an appliance door assembly as recited in Claim 1, a unitary outer door panel for a dishwasher as recited in Claim 8, a dishwasher door assembly as recited in Claim 14, or a dishwasher door assembly as recited in Claim 17. Accordingly, Applicants submit that independent Claims 1, 8, 14, and 17 are patentable over Hughes et al. and Cracraft et al., alone or in combination.


Claims 3-5 and 7 depend from independent Claim 1, Claims 11-13 depend from independent Claim 8, Claim 16 depends from independent Claim 14, and Claims 18-21 depend from independent Claim 17. When the recitations of dependent Claims 3-5 and Claims 7, 11-13, Claim 16, and Claims 18-21 are considered in combination with Claims 1, 8, 14, and 17

respectively, Applicants respectfully submit that Claims 3-5, 7, 11-13, 16 and 18-21 likewise are patentable over Hughes et al. and Cracraft et al., alone or in combination.

For the reasons set forth above, Applicants respectfully request that the Section 103(a) rejection of Claims 3-5, 7, 11-13, 16 and 18-21 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael Tersillo", written in black ink. The signature is positioned above a horizontal line.

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